



18.) The Remaining Defendants filed an “Objection” in response to the motion to dismiss, which explained that the Remaining Defendants had refused to stipulate to the dismissal without prejudice because they believed there was no basis for further state claims against them, and stated that “[w]hile these Defendants do not stipulate to this dismissal, we do not object to the Court’s entering of such an order.” (Filing 23)

I will grant the motion to dismiss the claims against the Remaining Defendants, and will enter judgment disposing of all claims by separate order.

Accordingly,

IT IS ORDERED:

1. The motion to dismiss (filing 18) is granted and all claims against Box Butte County, the Box Butte County Sheriff’s Department, the Alliance Police Department, Sean Busch (in his official and individual capacities) and the City of Alliance are dismissed without prejudice; and

2. Judgment will be entered by separate order.

April 28, 2005.

BY THE COURT:

s/ Richard G. Kopf  
United States District Judge